



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Isiah Leggett
County Executive

Robert Hoyt
Director

February 3, 2017

NOTICE OF AD 2017-1 ADMINISTRATIVE PUBLIC HEARING


TO: Keith Levchenko, Senior Legislative Analyst
County Council

Rich Weaver, Acting Manager, Area Three Planning Team
Maryland - National Capital Park and Planning Commission

Ray Chicca, Manager, Development Services Group
Washington Suburban Sanitary Commission

Gene Von Gunten, Manager, Well and Septic Section
Department of Permitting Services

Category Change Request Property Owners and Applicants

FROM: George Dizelos, Planner II, Water and Wastewater Policy Group
Department of Environmental Protection 

SUBJECT: **Administrative Public Hearing AD 2017-1 for Water and Sewer Plan Amendments**

DATE & TIME: **Wednesday, March 8, 2017, at 2:00 p.m.**

LOCATION: **DEP Lobby Conference Room**, 255 Rockville Pike, Suite 120, Rockville

Please be advised that the Montgomery County Department of Environmental Protection (DEP) will hold an administrative public hearing as specified above on the following requested category map amendment to the County's Comprehensive Water Supply and Sewerage Systems Plan:

17-TRV-03A: Jingen Liu

To assist with your review of this proposed action, DEP has created and posted a PDF to the "Service Area Category Changes" webpage at www.montgomerycountymd.gov/water/supply/category-changes.html. Select the blue "Application Hearing Schedule" tab to expand the section, then scroll down to the "Current Administrative Review Packet" heading. The hearing notice PDF includes the following information for the proposed amendment:

- Information summaries
- Staff reports and recommendations
- Mapping
- Supporting documents, as appropriate

We ask that Council staff provide the posted materials to the Councilmembers for their review. If Council staff members and aides would like to meet with DEP regarding the proposed amendment, we can work together to schedule a meeting to review the case before the public hearing. We request that the Council submit comments

no later than the hearing record closing date (see below). Otherwise, we will assume that the Councilmembers agree with administrative approval as recommended for the request.

We understand that the Montgomery County Planning Board will include this administrative packet for consideration on its agenda for **Thursday, February 23, 2017** (time to be announced).

Attendance at this hearing for agencies, applicants, and others is optional; the request will be considered at the time specified on page 1. If you wish to comment on a referenced amendment or on the staff recommendations, you may testify at the public hearing, or you may submit written testimony to: Lisa Feldt, Director, DEP; 255 Rockville Pike, Suite 120; Rockville, MD 20850-4166; or to george.dizelos@montgomerycountymd.gov. **DEP will close the record on March 15, 2017.**

Please do not hesitate to contact me at george.dizelos@montgomerycountymd.gov or at 240-777-7755 if you have any questions concerning these category change requests or the schedule provided.

ADS: ads\R:\Programs\Water_and_Sewer\actions-AD\2017\AD2017-1\ad-hearing-notice-draft--2017-1--2016-1122.docx

cc: Roger Berliner, President, County Council
Casey Anderson, Chairperson, Montgomery County Planning Board
Katherine Nelson, Area 3 Planning Team, M-NCPPC
Pamela Dunn, Functional Planning and Policy Division, M-NCPPC
Geoffrey Mason, Parks Planning and Stewardship Division, M-NCPPC
Beth Kilbourne & Rufus Leeth, Development Services Group, WSSC
Luis Tapia, Permit Services Section, WSSC
D Lee Currey, Director, Water Management Admin., Maryland Dept. of the Environment
David Craig, Secretary, Maryland Department of Planning

Category Change Applicants & Interested Parties

17-TRV-03A.....Jingen Liu
.....Eric Tidd and Phillip Long, CAS Engineering

Civic Groups

Audubon Naturalist Society
West Montgomery County Civic Association
Glen Preservation Foundation

WSSCR 17-TRV-03A: Jingen Liu

DEP Staff Recommendation: Approve S-1, for one sewer hookup only. Administrative policy V.F.1.b: community service for properties abutting mains.

Property Information and Location Property Development	Applicant's Request: Service Area Categories & Justification				
<ul style="list-style-type: none"> 11801 Stoney Creek Rd, Potomac Parcel P493, Beall Mount Big Pines (acct. no. 00388933) Map tile: WSSC – 215NW12; MD –EQ562 East Side of Stoney Creek Rd south of the intersection of Stoney Creek Way. RE-2 Zone; 5.0 acres Travilah Planning Area Potomac Subregion Master Plan (2002) Watts Branch Watershed (MDE Use I) <u>Existing use:</u> Improved, Single Family House (Built 1959) <u>Proposed use:</u> Replacing Single Family House 	<p>Existing – Requested – Service Area Categories</p> <table> <tr> <td>W-1</td><td>W-1 (No Change)</td></tr> <tr> <td>S-6</td><td>S-1</td></tr> </table> <p><u>Applicant's Explanation</u></p> <p>"New Construction of Single Family Home."</p> <p><i>DEP Note: At the request of the applicant, DEP notified WSSC that the property satisfied the requirements for public sewer service under the abutting mains policy. Therefore, on October 14, 2016 DEP notified the WSSC permits section that the property could be connected to public sewer service prior to the administrative approval of this request. (see pages 5-6)</i></p>	W-1	W-1 (No Change)	S-6	S-1
W-1	W-1 (No Change)				
S-6	S-1				

DEP Staff Report: The applicant has requested approval of sewer category S-1 to allow for public sewer service for the replacement of a single family home. This single family home will replace the existing single family home on the property which currently is served by a private septic system. This property is 5 acres in size, zoned RE-2, and is located outside the County's planned public sewer service envelope. An advanced action was granted by DEP for this property on October 14, 2016. The advance action was granted on the basis of the abutting mains policy. An existing 8-inch-diameter sewer main runs along Stoney Creek Rd, abutting the property. The abutting mains policy allows for a single hookup for a qualifying property abutting a sewer main. Any future subdivision of this property into more than one lot will not allow for additional hookups to public sewer.

To qualify for public service under the abutting mains policy, the property must have also been platted, and/or the existing home have been built prior to the installation of the abutting sewer main. The house on the property was built in 1959, prior to the installation of the abutting main in 2001. This condition qualifies the existing parcel for a single sewer hookup, regardless of replacement of the existing house. M-NCPPC staff concur that public sewer service is available through the abutting mains policy for a single connection. DPS staff recommend approval of public sewer service as the replacement of the on-site system is not likely possible due to environmental constraints caused by the extensive floodplain on the property. WSSC confirms that connecting the property to sewer service can be supported. DEP staff recommendation is for the approval of a restricted category S-1, for a single sewer hook-up only.

Agency Review Comments

DPS: Existing house dates to 1959 and we have been unable to locate original septic permit. Given the environmental constraints present, future replacement of the on-site system is probably impossible. Given the nearby stream buffer and the steep slopes, Well & Septic supports this request.

M-NCPPC – Planning Dept.: Approximately 82% of this 5-acre parcel is located within floodplain or on extreme steep slopes with highly erodible soils. These steep slopes lead down to a major stream/floodplain complex. Another approximately 10% of the site is within future right-of-way of Stoney Creek Road. The remaining land area is a narrow shelf along Stoney Creek Road. The process of subdivision may render this entire area unbuildable due to environmental constraints, setback requirements and design guidelines along Rustic Roads. The best option for redevelopment would be to rebuild on the existing house footprint. This planning staff advice has been given to several prospective builders who have inquired about this property. This

category change request should be considered under the abutting mains policy for a single lot hookup only.

M-NCPPC – Parks Planning: *DEP note: No comments provided. There are no park sites adjacent to or near this property.*

WSSC - Water: *(Not requested.)*

WSSC - Sewer: Basin: Watts Branch. An 8-inch sewer in Stoney Creek Road abuts the property (contract no. AS3495X02). On-site wastewater pumping may be necessary, depending on whether the home owner applies for basement sewer service. Construction of this extension may involve the removal of trees. Average wastewater flow from the proposed development: 300 GPD. Program-sized sewer mains are not required to serve the property. Interceptor capacity is adequate. Treatment capacity is adequate.



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Isiah Leggett
County Executive

Lisa Feldt
Director

MEMORANDUM

October 14, 2016

TO: Luis Tapia, Manager, Permit Services Unit, Development Services Group
Washington Suburban Sanitary Commission

FROM: George Dizelos, Environmental Planner II, Water and Wastewater Policy Group
Department of Environmental Protection

SUBJECT: Request to Provide a Single Sewer Service Connection

This is to request that WSSC accept and act on an application to provide public sewer service for the following property:

Property Address & Identification	Owner – Est. Date	Abutting Main - 200' Tile	WSSCC No.
11801 Stoney Creek Rd., Potomac Parcel P493, PT BEALL MOUNT BIG PINES; acct. no. 00388933 (tax map EQ52)	Jingen Liu House Built: 1959	8" gravity sewer (#023495X) Stoney Creek Rd – built: 2004 (WSSC tile 215NW12)	WSSCC 17-TRV-03A

Our records show that the existing house located on the subject property was constructed in 1959, prior to construction of the abutting sewer main in 2004. Given this, the property is eligible for a single sewer service connection under the abutting mains service policy in the County's Water and Sewer Plan.

DEP will address the service area category change amendment cited above, which seeks to change the existing S-6 sewer category to S-1, allowing the provision of public sewer service. However, it will take our office some time to process and approve this request, and the owner has indicated a need to proceed with the service to this site.

WSSC may install the requested sewer service connection and approve on-site plumbing permits in advance of DEP's approval of the associated service area category change. The County's Water and Sewer Plan allows DEP to direct WSSC to provide public service for cases which clearly satisfy the abutting mains policy.

If you have any questions concerning this request, please contact me at 240-777-7755

Attachment: Service Area Category Map (see pg. 3)

GJD:gjd
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Sewer Draft 2016-1013.doc

Office of the Director • Water and Wastewater Policy Group

255 Rockville Pike, Suite 120 • Rockville, Maryland 20850-4166 • 240-777-7755, FAX 240-777-7715

Luis Tapia
October 14, 2016

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cc: Lisa Sine, April Snyder, and Sharon Spruill, Development Services Group/Permit Services, WSSC
Ray Chicca, Development Services Group, WSSC
Pamela Dunn, Functional Planning Team, M-NCPPC
Kipling Reynolds & Katherine Nelson, Area 3 Planning Team, M-NCPPC
Gene Von Gunten, Well and Septic Section, DPS
Keith Levchenko, County Council
Dave Lake & Alan Soukup, DEP-WWPG
Jingen Liu
Phillip Long, CAS Engineering

